



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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DONALD L. WOLFE, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE

REFER TO FILE: **AV-0**

June 1, 2006

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**AMENDMENT NO. 1 TO LEASE NO. 74439 BETWEEN THE
COUNTY OF LOS ANGELES AND IGAAL BARAK FOR
CONSTRUCTION AND OPERATION OF AN AIRCRAFT
MAINTENANCE HANGAR AT WHITEMAN AIRPORT,
PACOIMA AREA, CITY OF LOS ANGELES
SUPERVISORIAL DISTRICT 3
4 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that this Lease Amendment is exempt from the provisions of the California Environmental Quality Act (CEQA).
2. Approve and instruct the Mayor to sign the enclosed Amendment No. 1 to Lease No. 74439 between the County of Los Angeles and Igaal Barak for an additional 650 square feet of improved land to be used for construction of an extension to the originally constructed aircraft maintenance hangar and to increase the monthly rental fee to \$355.85, commencing upon Board approval and terminating at midnight on April 30, 2028.
3. Instruct the Director of Public Works to make the necessary arrangements with the County's contract airport manager and operator for the collection of all rents to be paid.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

We are recommending that your Board approve and instruct the Mayor to sign Amendment No. 1 to Lease No. 74439 between the County of Los Angeles and Igaal Barak for an additional 650 square feet of improved land to be used for construction of an extension to the originally constructed aircraft maintenance hangar and to increase the monthly rental fee to \$355.85, commencing upon Board approval and terminating at midnight on April 30, 2028. We are also recommending your Board find that this Amendment is exempt from the provisions of CEQA, and instruct the Director of Public Works to make the necessary arrangements with the County's contract airport manager for the collection of all rents to be paid.

On April 29, 2003, your Board approved Lease No. 74439 between the County of Los Angeles and Marcian A. Herman for the construction and operation of an aircraft maintenance hangar. The original lease was for approximately 7,150 square feet of unimproved land at Whiteman Airport. In November 2004, the lease was assigned to Igaal Barak, the current lessee, who wishes to rent additional space to construct an extension to the originally constructed hangar. Therefore, an Amendment to the original lease is required. Approval of this Amendment will allow for a larger operating area to accommodate an increasing customer base. It will also provide an increased revenue flow to the County's Aviation Enterprise Fund.

The terms of this Lease Amendment were negotiated by our airport management contractor and appear to be fair and reasonable.

Implementation of Strategic Plan Goals

This action is consistent with the Strategic Plan Goal of Fiscal Responsibility, as approving this Amendment will provide more revenue to the County which, in turn, will be used to maintain and upgrade the airports to meet current FAA standards. It also satisfies the Strategic Plan Goal of Service Excellence, as approving this Amendment will provide continuous, quality aircraft maintenance services for airport users at Whiteman Airport.

FISCAL IMPACT/FINANCING

This Amendment will provide an increased revenue flow to the County's Enterprise Fund.

The total monthly rental rate for the original and increased land area will be \$355.85. The monthly rental rate will be adjusted annually based on the Consumer Price Index. A 5-year option period for the lease will begin on May 1, 2023. If lessee decides to exercise this 5-year option, a new rental rate will be negotiated between the lessee and our management contractor, American Airports Corporation (AAC).

As provided in our airport management contract agreement, AAC will collect the revenues and distribute 45 percent of the lease payment into the Aviation Enterprise Fund.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

This Lease Amendment has been reviewed from a legal standpoint and approved as to form by County Counsel.

This Lease Amendment is authorized by Government Code § 25536.

ENVIRONMENTAL DOCUMENTATION

The proposed Lease Amendment is a categorically exempt project, as specified in Class 1 (g) of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, Synopsis 57.

CONTRACTING PROCESS

It is not applicable for this Lease Amendment.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

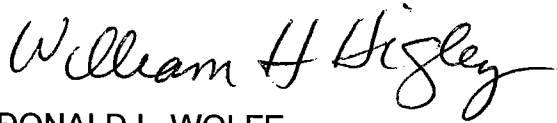
Approval of this Amendment will provide the Whiteman Airport tenants with a larger facility to accommodate the increasing demand for aircraft maintenance services which will increase the airport revenue stream to the County and help reduce maintenance costs.

CONCLUSION

The original and three (3) copies of the Lease Amendment, executed by Igaal Barak, are enclosed.

1. Please have the Mayor sign the original and all copies, and return three (3) fully executed, original signature/stamped copies to the Aviation Division.
2. It is further requested that conformed copies of the Amendment be distributed to:
 - a. County Counsel
 - b. Auditor-Controller, General Claims Division
 - c. Assessor, Possessory Interest Division

Respectfully submitted,


for DONALD L. WOLFE
Director of Public Works

RS:hz

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Enc.

cc: Chief Administrative Office
County Counsel

**AMENDMENT NO. 1 TO LEASE NO. 74439
TO PROVIDE FOR THE LEASING OF ADDITIONAL LAND**

AT

WHITEMAN AIRPORT, PACOIMA, CALIFORNIA

THIS AMENDMENT NO. 1 TO LEASE NO. 74439 for the leasing of additional land at Whiteman Airport is made and entered into this _____ day of _____, 2006,

BY AND BETWEEN

COUNTY OF LOS ANGELES, a body corporate and politic (hereinafter referred to as "County"),

AND

IGAAL BARAK
(hereinafter referred to as "Lessee"),

WITNESSETH:

WHEREAS, County and Marcian A. Herman entered into Lease Agreement No. 74439 on May 1, 2003, for the construction and operation of an aircraft maintenance hangar at Whiteman Airport, Pacoima, California; and,

WHEREAS, Marcian A. Herman assigned said Lease Agreement to Igaal Barak on November 12, 2004; and

WHEREAS, Lessee desires to acquire additional land to construct an extension to the originally constructed hangar; and

WHEREAS, the County desires to lease said additional premises to Lessee.

NOW, THEREFORE, in consideration of the payment of rental and performance of the terms, covenants, and conditions hereinafter contained, to be kept and performed by the respective parties hereto, it is mutually agreed as follows:

1.

Section 2 – Leased Premises is amended to add 650 square feet of improved land to the Leased Premises. Section 2.1 is amended with the addition of the following subsection:

2.1.2 improved land area consisting of approximately 650 square feet.

2.

Section 4 – Rents and Fees is amended to include the additional land rent due and payable for the 650 square feet of improved land. Upon Board approval of Amendment No. 1, the monthly rent of \$325.52 is changed to \$355.85.

3.

Exhibit “A” is deleted in its entirety and replaced by Exhibit “A-1”, which is attached hereto and made a part hereof.

4.

Section 12 – Additional Obligations of Lessee is amended with the addition of the following subsection:

12.13 No portable structures are allowed to be placed or to remain on the Leased Premises. Portable structures include, but are not limited to, campers, recreational vehicles (RVs), trailers, portable hangars, and storage containers.

5.

It is mutually understood and agreed that all other terms and conditions and provisions of the original Lease Agreement No. 74439 shall remain in full force and effect, except as herein expressly modified.

The remainder of this page is intentionally left blank.

IN WITNESS WHEREOF, the Lessee has executed this Amendment No. 1 to Lease No. 74439, or caused it to be duly executed, and the County of Los Angeles, by order of its Board of Supervisors, has caused this Amendment No. 1 to be executed on its behalf on the day, month, and year first written above.

COUNTY OF LOS ANGELES

By _____
Mayor, Board of Supervisors

ATTEST:

SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of
the County of Los Angeles

By _____
Deputy

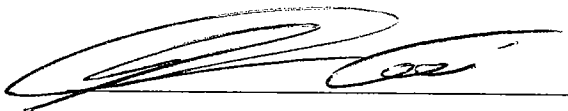
APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.
County Counsel

By  _____
Deputy

AGREED:

IGAAL BARAK



California All-Purpose Acknowledgment

State of California
County of Los Angeles } ss.

On May 22, 2006 before me, Karla Maria Gonzalez,
personally appeared Igal Barak



- ☐ personally known to me
☒ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Karla Maria Gonzalez
Signature of Notary

Other Information

This information is not required by state law, but is helpful in preventing fraud.

Type of Acknowledgment:

- ☐ Individual
☐ Corporate
☐ Partnership
☐ Attorney-in-fact
☐ Other: _____

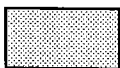
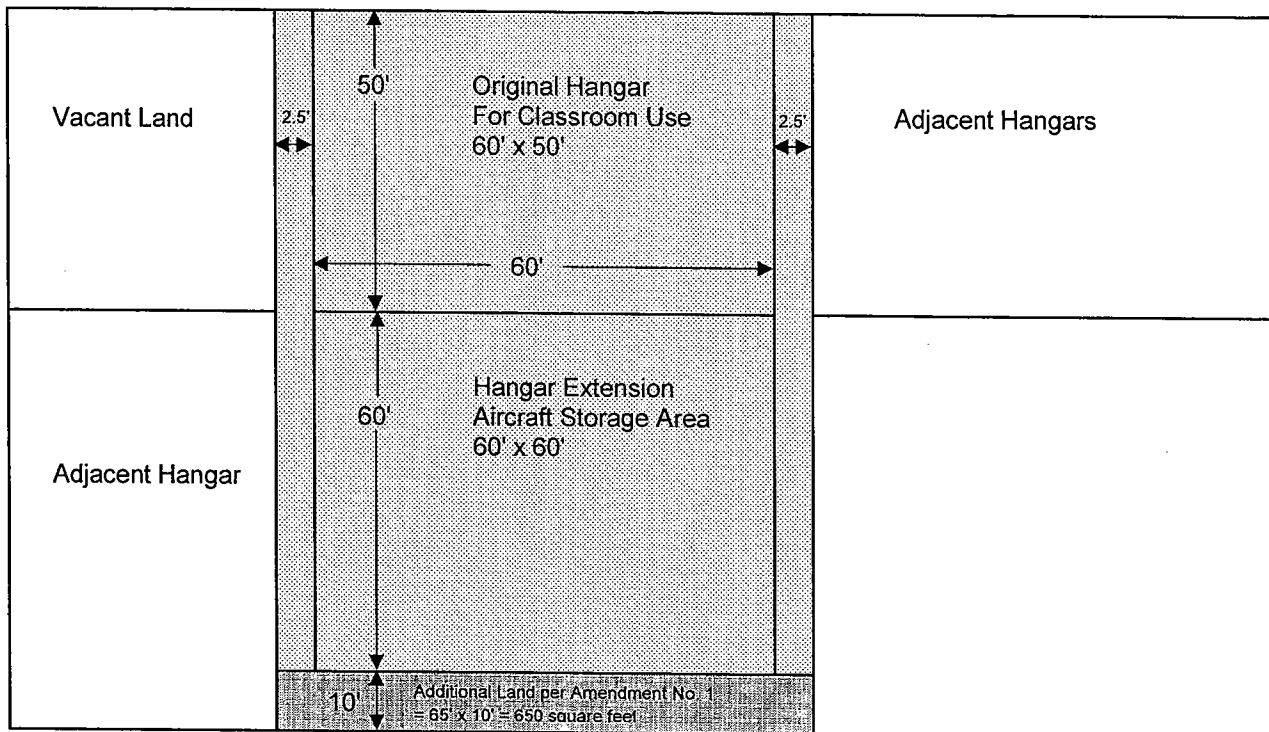
Document Identification:

Name/Type: Lease Agreement
Date: _____ # of Pages: _____
Other Info: _____
Journal Entry #: _____

Signer Information

Name: _____
Capacity (if corporate): _____

Exhibit A-1



Igaal Barak's Existing Leasehold, 65' x 110'



Amendment No. 1 Additional Land, 65' x 10' = 650 square feet

Map Not To Scale